
STATUTORY INSTRUMENTS

2012 No. 1833

The Criminal Justice Act 1988 (Reviews of Sentencing) (Amendment) Order 2012

Amendment of the Criminal Justice Act 1988 (Reviews of Sentencing) Order 2006

2.—(1) The Criminal Justice Act 1988 (Reviews of Sentencing) Order 2006⁽¹⁾ is amended as follows.

(2) In Schedule 1 (descriptions of cases to which Part 4 of the Criminal Justice Act 1988 is to apply)—

(a) after paragraph 1, insert—

“**1A.** Any case tried on indictment—

(a) following a notice given under section 51B of the Crime and Disorder Act 1998⁽²⁾ (notices in serious or complex fraud cases); or

(b) following such a notice, in which one or more of the counts in respect of which sentence is passed relates to a charge—

(i) which was dismissed under paragraph 2 of Schedule 3 to the Crime and Disorder Act 1998 (applications for dismissal); and

(ii) on which further proceedings were brought by means of the preferment of a voluntary bill of indictment.”;

(b) in paragraph 2, at the end of sub-paragraph (i) before the full stop, insert—

“;

(j) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004⁽³⁾ (trafficking people for exploitation)”;

(c) for paragraph 4, substitute—

“**4.**—(1) Any case in which sentence is passed on a person for—

(a) attempting to commit a relevant offence;

(b) inciting the commission of a relevant offence; or

(c) an offence under section 44 or 45 of the Serious Crime Act 2007⁽⁴⁾ (encouraging or assisting an offence) in relation to a relevant offence.

(2) In this paragraph, “a relevant offence” means an offence set out in paragraph 2(a) to (h) or (j) or paragraph 3.”.

(1) S.I. 2006/1116.

(2) 1998 c. 37.

(3) 2004 c. 19; section 4 was amended by the Human Tissue Act 2004 (c. 30), Schedule 6, paragraph 7, the UK Borders Act 2007 (c. 30), section 31(1) and the Borders, Citizenship and Immigration Act 2009 (c. 11), section 54.

(4) 2007 c. 27.